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DATE May 17, 2004
NAME
COMPANY U.S. Patent & Trademark Office
FAX NUMBER 703 872-9306

FROM Jacqueline M. Hutter
REFERENCE NO. 03269.0029U2
OUR FAX NUMBER 678-420-9301
NUMBER OF PAGES 4

Re: U.S. Application No. 09/032,893
Filed February 27, 1998

Enclosed herewith are the following:

1. Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences (2 pages)
2. Form PTO-2038 in the amount of \$330 for Notice of Appeal

CONFIDENTIALITY NOTE

The information which follows and is transmitted herewith is attorney privileged, trade secret and confidential information intended only for viewing and use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any review, use, communication, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address.

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ATTORNEY DOCKET NO. 03269.0029U2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Bieser <i>et al.</i>)	Art Unit: 1771
)	
Application No. 09/032,893)	Examiner: Juska, C.
)	
Filing Date: February 27, 1998)	Confirmation No. 1428
)	
For: HOMOGENEOUSLY BRANCHED)	
ETHYLENE POLYMER CARPET,)	
CARPET BACKING AND METHOD)	
FOR MAKING SAME)	

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

VIA FACSIMILE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.
Customer Number 23859

06/03/2004 HTECKLU1 00000062 09032893
01 FC:1401

May 17, 2004

Dear Sir: 330.00 00

Applicant or hereby appeals under 37 C.F.R. §1.191 to the Board of Patent Appeals and Interferences from the decision of the Examiner dated February 17, 2004 finally rejecting claims 1, 3-6, 9-12, and 15-17.

The item(s) checked below are appropriate:

1. ☐ An extension of time to respond to the final rejection:
 - (a) ☐ was obtained for ____ month(s).
 - (b) ☐ is requested herewith under 37 C.F.R. § 1.136.
2. Payment in the amount of \$330.00 for the following fees is to be charged to a credit card and such payment is authorized by the signed, enclosed document entitled Credit Card Payment Form PTO-2038 to cover the following fees:

☒ Appeal fee amount pursuant to 37 C.F.R. §1.191 and 37 C.F.R. §1.17(b) = \$330.00/LE or \$165.00/SE.

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NO. 4829 P. 3/4

ATTORNEY DOCKET NO. 03269.0029U2
APPLICATION NO. 09/032,893

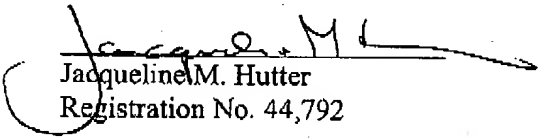
☐ Extension of time fee amount = \$ _____ - _____ month extension of time fee minus the \$ _____ two-month extension of time fee submitted on _____.

(a) ☐ enclosed.

This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.


Jacqueline M. Hutter
Registration No. 44,792

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Customer Number 23859
(678) 420-9300
(678) 420-9301 (fax)

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being transmitted via facsimile transmission to: (703) 872-9306, on the date indicated below.


Jacqueline M. Hutter

May 17, 2004
Date